



# CALPEEK

## CALIFORNIA POLITICAL WEEK

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## ELECTION ANALYSIS

Editor's note: Here is Part I of Calpeek's post-Nov. 7<sup>th</sup> election analysis. Adjectives really can't describe *Campaign 2000*. Just very, very exciting – especially the finish. Please keep in mind that there are large numbers of absentee ballots yet to be counted, nationwide and in Calif. In Calif., it is estimated there are still 1 million A/V ballots spread through 58 counties. And there could be 1-2 very tight races which could change. Next week: *Calpeek's Winners & Losers*. So consultants who love to spin, FAX us ASAP. Also more analysis, updates and local election coverage next week...

### NATIONAL OVERVIEW

...As Calpeek hit deadline, Texas Gov. George W. Bush(R) was trailing VP Al Gore(D) by about 98,000 in the popular vote nationwide and also was behind 246 to 260 in the Electoral College count. HOWEVER, as all Calpeek readers know, the whole election will be decided by Florida – a state which Bush was expected to win with ease two months ago. The 25 electoral college votes will put either Gore or Bush over the top. As of early a.m., Nov. 8<sup>th</sup>, Bush held a very slim 900 to 1200 vote lead over Gore statewide – enough to trigger an automatic recount. Odds are probably in Bush's favor, but who knows. All sorts of rumors are flying. Given the closeness of this battle, there's no mandate and whom-ever wins will have to govern close to the *political center*...

...The factors which made the presidential election so close can probably be boiled down to these: 1) Green Party candidate Ralph Nader's constant bashing of the Clinton/Gore record was never responded to properly by the DNC or the Gore campaign. Nader was certainly a factor in some key battle ground states and pulled 2% of the Florida vote. 2) *The Debates*. Gore may have won all three on substance, but Bush proved that he was presidential and that's what he had to do. 3) Issues. With a few exceptions, the Gore campaign seemed to duck one of the key issue of the race: control the U.S. Supreme Court and abortion. Instead Gore pounded away on social security/medicare – key issues to be

sure, but abortion was almost an afterthought...

### CALIFORNIA OVERVIEW

...Calif. was *never* – repeat never – in play for Bush, despite the fact that \$12-15 million in tv ad money was poured into the State. Result: Gore 53.7% vs. 41.5% for Bush and Nader at 3.1%. Looking back, the GOP soft money would have been better spent in PA, MI and Florida. And so for the Demos, and especially for Calif. Gore chair Gov. Gray Davis, despite some nervous moments two weeks ago, the *chicken game* of not spending any tv bucks on Gore paid off in Calif. FYI: in raw numbers, Gore was leading Bush by 1.1 million – bigger than Clinton's margin over Bob Dole in '96. Reason for the big Gore win in Calif.: a huge ground operation for local Demo candidates...

...Overall voter turnout, as of Nov. 8<sup>th</sup>, was 63%, with 9.9 million Californians going to the polls. Calif. Sec. of State Bill Jones(R) had projected a 76% turnout...

...Bottomline: Calif. remains very Demo for the time being. Outgoing GOP Assembly Leader Scott Baugh is hopeful that if Bush is elected, he'll travel West to help the CRP rebuild. But lots of infighting must be halted before the rebuilding can begin, but it's not an impossible task. On the other hand, the CA Republican Party can't make excuses that the State was abandoned. And yet Bush lost by more than 1 million votes. Our sources suggest there's an *issues problem* which the CRP can't or won't address...

### THE U.S. SENATE

...In Calif., pollster Mervin Field was right on the money, as he predicted a 20-point blowout for incumbent U.S. Sen. Dianne Feinstein(D) over U.S. Rep. Tom Campbell(R-San Jose). Campbell had no traction from day one. If there was one bright spot for the Democrats nationwide on election night, it was the U.S. Senate, where Demos were not expected to make significant gains. Surprise, surprise. Going into the election, the GOP held a 54/46 margin. As of mid-a.m. Nov. 8<sup>th</sup>, Demos had held onto 4 key OPEN seats (including

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Hillary Clinton in NY) and had defeated incumbent GOPers in DE, MI, MN and MO. The most astonishing win was in MO, where the late Gov. Mel Carnahan defeated John Ashcroft. So right now it's 50/49 if things hold – and we don't know yet what's happened in WA, where former Congresswoman Maria Cantwell(D) was trailing U.S. Sen. Slade Gorton(R) by just 3,000 votes...

### **THE U.S. HOUSE OF REPRESENTATIVES**

...Going into election night, Demo House Leader Dick Gephardt had hoped to pick up a net gain of 6 seats – giving the Demos control of the U.S. House. Demos have been out of power in the House since '94. The U.S. House lineup was 223 R vs. 210 D, with 2 independents. The DCCC, under Patrick Kennedy, raised a total war chest of \$92 million vs. the NRCC under Tom Davis with a war chest of \$130 million. Several key races are still undecided, but the GOP will retain control for another two years. However, Demos are expected to pick up from 2 - 4 seats...

...Here in Calif., the Demos really kicked butt – no other way to describe it. Demos gained a net of 5 seats in Calif. Before the election, the delegation lineup was 27 D vs. 25 R. If the results don't change, it will be 30 D vs. 20 R...

#### ***The Battle Zone***

15<sup>th</sup> CD Mike Honda(D) 54.5% Cunneen(R) 42.0%  
27<sup>th</sup> CD Adam Schiff(D) 52.8% Rogan(R) 43.8%  
36<sup>th</sup> CD Jane Harman(D) 48.4% Kuykendall(R) 46.7%  
49<sup>th</sup> CD Susan Davis(D) 49.8% Bilbray(R) 46%

...The big upset was Davis over Bilbray, although "G.I." Jane Harman also was in a toss up battle with Kuykendall. Harman leads by 3,800 votes. FYI: before the Davis upset, a Demo source close to Davis told Calpeek, "The surfer boy (Bilbray) sleeps with fish."...

...And the Demos held off the GOP in the 10<sup>th</sup> (Tauscher), 20<sup>th</sup> (Dooley) and 22<sup>nd</sup> (Capps). The 5<sup>th</sup> pickup of Nov. 7<sup>th</sup> was State Sen. Hilda Solis(D-31<sup>st</sup>) – the seat now held by former Demo U.S. Rep. Marty Martinez(R). It was no contest for U.S. Reps. Brad Sherman(D-24) and Joe Baca(D-42). The big scare of the night was for U.S. Rep. Steve Horn(R-Long Beach), as Demo Gerrie Schipske came within 3,000 votes of beating him. Can't wait to see what re-apportionment does to some of these CDs...

### **CALIF. STATE SENATE**

...Senate Demo PPT John Burton, who was loaded with money, probably comes out of the election the same way he went in: 25 – 15. Right now Burton is +1 with Democratic

Assemblyman Mike Machado leading Lodi Councilman Alan Nakanishi(R) by 543 votes, with absentee ballots yet to be counted. The 5<sup>th</sup> is a Senate District which has been represented by a Demo for many years (Patrick Johnston), but is *trending GOP* in registration and voting patterns. Gore got mashed by Bush in this SD. So Machado's very IFFY in terms of holding on. Here's how the *State Senate BattleZone* looks:

#### ***Battle Zone***

5<sup>th</sup> SD Open Machado(D) +543 vs. Nakanishi(R)  
7<sup>th</sup> SD Torlakson(D) 54.8% vs. Rainey(R) 42.6%  
21<sup>st</sup> SD Open Scott(D) 59% vs. Zee(R) 37.5%  
27<sup>th</sup> SD Karnette(D) 61.1% vs. Lyon(R) 38.9%  
29<sup>th</sup> SD Open Margett(R) 49.1% vs. Melendez(D) 48%  
39<sup>th</sup> SD Alpert(D) 56.4% vs. Stirling(R) 39.3%

...The big Demo win for Burton was in the 7<sup>th</sup> SD, where Tom Torlakson(D) mashed State Sen. Dick Rainey(R) by 37,000+ votes. Heavy GOTV for Torlakson vs. hardly anything for Rainey. In the 29<sup>th</sup> SD, GOP Assemblyman Bob Margett leads Demo Rick Melendez by some 2,200 votes. And as expected, Dede Alpert(D) easily won another term by defeating Larry Stirling(R)...

### **CALIF. STATE ASSEMBLY**

...Before the election, Demo Assembly Speaker Bob Hertzberg held a 46 vs. 32 margin over the GOP, with 1 vacancy and 1 independent. After the election the lineup is this way: 50 D vs. 30 R. True, Hertzberg had a huge war chest vs. *the cupboard was nearly bare* for the GOP, but when one looks at all the GOP soft money poured in for Bush, supposedly to help down ballot candidates, well *plop plop fizz fizz*. Incumbents underlined...

#### ***Battle Zone***

17<sup>th</sup> AD Matthews(D) 53% vs. Aghazarian(R) 44.6%  
24<sup>th</sup> AD Cohn(D) 50.7% vs. Jackson(R) 44.8%  
28<sup>th</sup> AD Salinas(D) 52.9% vs. Denham(R) 43.3%  
37<sup>th</sup> AD Strickland(R) 50.2% vs. McGrath(D) 47.4%  
43<sup>rd</sup> AD Frommer(D) 58.9% vs. Missakian(R) 41.1%  
54<sup>th</sup> AD Lowenthal(D) 58.8% vs. Svorinich(R) 38.6%  
56<sup>th</sup> AD Havice(D) 60.8% vs. Hu(R) 39.2%  
61<sup>st</sup> AD McLeod(R) 54.3% vs. Yates(R) 42.7%

...Demos had 3 pickups in the *Battle Zone*: 24, 28 and 61 which was vacant. On the *Incumbent Watch List*, all incumbents except Independent Audie Boch of Oakland were re-elected. Alameda Co. Sup. Wilma Chan(D) destroyed Boch by a 67.7% vs. 21.8% margin. On the *OPEN Watch List*, Demos won 3 and GOP won 2...

...FYI: last minute sneak attack in the 65<sup>th</sup> AD almost

caught former Beaumont Mayor Jan Leja asleep. Demos poured in some last minute money to help Ray Quinto, who got 43% vs. 47% for Leja...

### **STATEWIDE INITIATIVE WARS**

☒ **Prop. 34 (Campaign Reform)** – By a surprisingly wide margin, voters APPROVED this campaign reform measure placed on the ballot by the State Legislature. It was YES 59.9% vs. NO 40.1%. Opponents, led by the League of Women Voters (LWV), CA Common Cause, campaign reform advocate Tony Miller, with celebrity help from U.S. Sen. John McCain (R) and actor Warren Beatty, put up a solid front of opposition and won backing from nearly every major daily newspaper in Calif. But the YES side had two things going for it: 1) a very good ballot title & summary; and 2) 20 million pieces of slate mail. Prop. 34 isn't the be all and end all when it comes to campaign reform. Campaign reform has to be done in small steps. This is the first one. But contrary to what the NO on 34 forces say, Prop. 34's legislative spending limit of \$3,000 is much more reasonable than the absurd \$250 limit of Prop. 208. The folks who wrote 208 think all money in campaigns is evil and therefore the less a candidate can raise the better. Given what it costs to run a campaign today, Prop. 208 is unworkable...

☒ **Prop. 35 (Contracting Out)** – YES on 35 won by a margin of 54.8% YES vs. 45.2% NO. Lots of confusion here, but most of the major newspapers went YES. And even in Sacramento County, a bellwether county in Calif., Prop. 35 passed by a 52% to 48% margin – and Sacto Co. is loaded with all sorts of public employees from the Fed, State and local levels. And remember, this special interest initiative was aimed at CalTrans workers by the private engineering and design firms who wanted an shot to get more contracts from the state and local government...

☒ **Prop. 36 (Drug Treatment)** – YES on 36 won, as expected, but the margin is what surprised a number of insiders, given the newspaper editorial opposition. The margin was 60.8% YES vs. 39.2% NO. Both sides favored more money being spent on drug treatment rather than jail or prison time for 1<sup>st</sup> time, non-violent drug users. But opponents said drug testing was absolutely necessary and it was not included in the measure. The outcome of this initiative was never really in doubt because the NO side failed to raise an adequate warchest...

☒ **Prop. 37 (Taxes/Fees)** – Calif.'s business community placed Prop. 37 on the ballot, but then failed to adequately fund this initiative which would have reversed the Calif.

Supreme Court's Sinclair Paint decision. Prop. 37 redefined most fees as taxes and required a 2/3rds legislative vote in order to pass them. Most every newspaper in Calif. was opposed. Because this special interest initiative was rather complex, there were no public polling to give any kind of an indication as what was happening. In the end, however, NO on 37 prevailed by a margin of 47.8% YES vs. 52.2% NO. The NO side demonized some of the special interests who had contributed to the YES said and successfully tagged the measure as the Polluter Protection Initiative. YES on 37 was on many slates, but NO had some too. But the big killer for the NO side was a GOTV Demo Party slate card distributed door-to-door during the ground war on election day...

☒ **Prop. 38 (School Vouchers)** – The big question: both Michigan and Calif. defeated school voucher proposals on the ballot by big margins. Will these two key defeats be the end of the school voucher movement in the U.S.?? Don't have a clue about the answer to that question, but NO on 38 absolutely destroyed Tim Draper's voucher measure by a margin of 70.7% NO to 29.3% YES. A big win for the CTA and the entire educational establishment, as well as for Gov. Gray Davis (D), who took some hits from Draper's tv campaign. Many sources still believe that this was Round I in Draper's attempt to possibly run statewide in 2002...

☒ **Prop. 39 (Local School Bond vote)** – After losing Round I in March, backers of this initiative to pass a local school bond with a 55% vote (instead of the current 2/3rds vote), finally won, but not by a huge margin. It was YES 53.4% vs. NO 46.6%. The NO side was vastly outspent, with much of the YES money coming from Silicon Valley business execs. The money was like \$30 million YES vs. \$4 million NO. So ends Round II, but the opponents of Props. 26 & 39, the Howard Jarvis Taxpayers Assn. (HJTA) may in fact take the offense in March of 2002 with an initiative. In both March and November of this year, HJTA was playing defense. Don't know the exact subject just yet, but it undoubtedly would have to do with protecting the Prop. 13 theme of a 2/3rds vote. Question: will GOP members of the Legislature consider shifting the accountability measures which accompany Prop. 39 from a statute to a constitutional amendment???

### **LOCAL CONTESTS**

◆ **San Diego Mayor** – Upset, as San Diego Sup. Court Judge Dick Murphy defeated County Sup. Ron Roberts. The margin was 51.68% vs. 48.32%. Roberts was the winner of the primary, where Murphy just edged out two other favorites. Even though he was outspent 5-to-1, in the end San Diego voters decided they liked Murphy's independence and integrity and viewed Roberts as the political



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insider, who had too many connections with special interests. The KGTV-Chn. 10 poll had Murphy ahead 46% 40% just days before the election...

◆ **Sacramento Mayor** – Councilwoman Heather Fargo is the Capital's new chief executive. Fargo defeated fellow Councilman Rob Kerth by a 53.9% to 46.1% margin. Most of our sources thought Kerth had an edge, but a Sacramento BEE poll published just before the election showed Fargo with a 44% to 39% advantage...

● **L.A. County District Attorney** – L.A. Co. has a new top cop: Chief Deputy DA Steve Cooley. Cooley defeated 2-term incumbent Gil Garcetti by a wide margin – 63.69% to 36.31%. A huge blowout even though Garcetti pounded Cooley with 2 weeks of negative tv advertising, claiming Cooley was soft on the 3-strikes law. But as Calpeek noted last week, in politics there's such a thing as luck & timing and Garcetti had run out of both – especially with the Ramparts LAPD scandal in the headlines and on the tube almost every night. This Rampart scandal has legs – as some other folks will find out shortly. But mostly there was just pent up dislike of Garcetti, probably due in part to his department's loss of the O.J. Simpson case...

◆ **Santa Clara Co. Measure A** – The ½ cent sales tax extension in this county passed by a 70.4% YES vote, more than the 2/3rds required. The money from this local measure will be used to extend BART to San Jose. This measure will run for 30 years and will bring in an estimated \$4 billion...

◆ **L.A. Co. Measure A** – This was the measure to enlarge the L.A. Co. Board of Supes from 5 to 9 members. It got creamed: 64.17% NO vs. 35.83% YES. This was loss #5 for this particular initiative...

◆ **S.F. Co. Measure K & L** – In the battle over growth, Mayor Willie Brown's Measure K was defeated by a 61.4% NO vote, but Brown is still in the hunt to defeat Sup. Tom Ammiano's Measure L, a stricter growth control plan. At last count, L was just winning: 50.7% vs. 49.3% - 3,000 in raw votes, with 50,000 late and AV ballots not counted. If Brown could defeat L, he'd come out of this battle still on his feet...

◆ **L.A. County Assessor** – In this strange winner-take-all battle, appointed County Assessor Rick Auerbach has won with 38.33% against a field of 15 others. Auerbach's nearest rival, Dep. Assessor Yolanda Salazar, got 15.62%...

● **Tobacco Settlement Wars** – In Ventura Co., Measure "O," placed on the ballot by the Community Memorial Hos-

pital and other private hospitals, was defeated by a 67.6% NO vote. The purpose of O was get all of the county's \$260 million in tobacco settlement funds turned over to the private hospitals in Ventura Co. In Orange Co., Measure H requires that all of Orange Co.'s \$765 million in tobacco settlement funds be used for health care purposes. It was approved by a 64.7% to 35.5% vote. A rival measure, G, required that the tobacco settlement funds be used to retire O.C.'s bankruptcy bonds. It failed...

### CALPEEK'S CALENDAR OF POLITICAL EVENTS

|           |                                                                                                                                       |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------|
| Nov. 9-12 | Internat'l Assn. of Political Consultants annual conference, Washington DC.                                                           |
| Nov. 15   | 8 <sup>th</sup> Annual Calif. Policy Issues Conference sponsored by the Pat Brown Inst. of Public Affairs, Wilshire Grand Hotel, L.A. |
| Nov. 16   | Election Post Mortem conference, Pepperdine Univ./USC's Unruh Inst., @USC.                                                            |
| Dec. 4    | 2001-2002 CA Legislature convenes for organizational session.                                                                         |
| Dec. 5-9  | Nat'l League of Cities conference, Boston.                                                                                            |
| Dec. 18   | Electoral College delegates meet in Sacto.                                                                                            |
| Jan. 20   | Inauguration Day, Washington DC.                                                                                                      |

### SOME INFO YOU NEED TO KNOW ABOUT CALPEEK.

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● **Manager/Political Reporting.** Nielsen, Merksamer specializing in political, legislative and election law, seeks Co-Manager for firm's Political Reporting Unit. E-mail schipman@nmgovlaw.com or FAX resume to (415)388-6874. Website: www.nmgovlaw.com. Nielsen, Merksamer, 591 Redwood Hwy., Bld. 4000, Mill Valley, CA 94941.

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